

Application No.: 10/781174
Amendment dated: December 14, 2007
Reply to Office action of August 14, 2007

REMARKS/ARGUMENTS

A minor error in the specification has been corrected, and the claims have been amended to address the grounds of rejection under 35 USC §112.

An important distinguishing feature of the invention, is that the rate at which the set point temperature of the pit atmosphere decreases is dependent on the internal temperature of the food article. This dependent relationship is explained by the equation in paragraph 0048, in which the pit temperature setting PS is dependent on the manual settings PSK and MS, on a preset constant LS, and on the meat setpoint deviation MD, which is the difference between the internal meat temperature and the meat temperature setting MS. In short, as explained in paragraph 0047 of the Applicants' specification:

"[t]he set point will ramp downward . . . at a rate depending on the sensed internal temperature of the food."

This dependent relationship is defined by the language added to the independent claims, 1 and 8, in which the controller reduces the set point temperature as the internal temperature of the food article increases,

"at a rate depending on the internal temperature of said food article as sensed by said second temperature sensor after the internal temperature of said food article reaches a predetermined level."

Wollick lacks any teaching of the above-described feature of claims 1 and 8. In Wollick, the oven temperature is dependent on internal meat temperature only until the meat temperature reaches a certain level. Thereafter, the oven temperature drops gradually to a holding level.

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Wollick explains, at column 1, lines 42-45, that "... the oven temperature is automatically gradually reduced for several hours," but does not teach that the rate of drop of the oven temperature is dependent on the meat temperature. On the contrary, at column 5, lines 25-30, Wollick explains that when the internal temperature of the meat reaches a certain level,

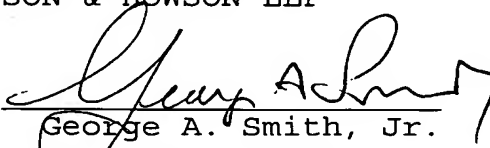
"... the relay contacts C_H will close, so that no further pulse V_0 will be generated by the oven temperature module of FIG. 3 until the oven temperature gradually drops to the holding level of, for example, 138° F."

The above statement implies that the drop in oven temperature is entirely dependent on oven heat dissipation, and therefore not dependent on sensed meat temperature.

Nothing in Blevins, Kibourian, or the other prior art of record, teaches the rate dependency as defined in claims 1 and 8 as amended. Accordingly, we respectfully submit that the prior art does not demonstrate obviousness of the subject matter presently claimed, and request reconsideration and allowance of this application.

Respectfully submitted,
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Enclosures:

Request for extension

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